

So Ordered.

Signed this 9 day of January, 2024.



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

In re

PRIME CAPITAL VENTURES, LLC,

Debtor.

Robert E. Littlefield, Jr.

United States Bankruptcy Judge

Chapter 7  
Case No. 23-11302

**ORDER GRANTING MOTION OF PETITIONING CREDITORS TO DISMISS CASE  
PURSUANT TO 11 U.S.C §§ 105 and 303(j)**

**UPON** the motion (the “Motion”) of Compass-Charlotte 1031, LLC, 526 Murfreesboro, LLC and Newlight Technologies Inc. (collectively, the “Petitioning Creditors”) for dismissal of the above-captioned involuntary bankruptcy case against Prime Capital Ventures, LLC (the “Alleged Debtor”) pursuant to §§ 105 and 303(j) of 11 U.S.C. § 101 *et. seq* (the “Bankruptcy Code”), and the Court’s Amended Order to Shorten Time dated January 8, 2024; and upon the appearances of counsel at the hearing before the Court on January 9, 2024 and the record thereof; and upon the consent of the Petitioning Creditors, the Alleged Debtor (subject to its reservation of right to seek a judgment against the Petitioning Creditors pursuant to 11 U.S.C. § 303(i)), the Interim Trustee and the United States Trustee, and after due deliberation by the Court, it is hereby

**ORDERED**, that the Motion is granted pursuant to Bankruptcy Code §§ 105 and 303(j) and the above-captioned bankruptcy case is hereby dismissed; provided, however, that the Court shall retain jurisdiction over all unresolved matters, including but not limited to:

1. An application by the Alleged Debtor pursuant to Bankruptcy Code § 303(i) for

costs, attorneys' fees and damages, including punitive damages;

2. The Alleged Debtor's application for a bond (Doc. 70);
3. The Interim Trustee's application to employ counsel (Doc. 18) together with compensation of counsel;
4. All matters pertaining to a \$5,000,000 deposit into the Alleged Debtor's KeyBank account no. xxxx2233; and
5. Bankruptcy Rule 2016(b) disclosures by the attorneys representing the Alleged Debtor in this case; and it is further

**ORDERED**, that the Interim Trustee is hereby discharged, and the Court's Order granting injunctive relief against the Alleged Debtor (Doc. 13) is hereby vacated; and it is further

**ORDERED**, that the automatic stay is hereby terminated pursuant to Bankruptcy Code § 362(c), and such termination shall be effective immediately upon entry of this Order; and it is further

**ORDERED**, that this dismissal is not an adjudication on the merits and is without prejudice to the rights of any parties, and all claims, rights and defenses of all parties which have been or which could have been asserted are expressly reserved.

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